

Hearing Date: October 19, 2010
Hearing Time: 10:00 AM (EST)

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION
CORPORATION,

Plaintiff,

vs.

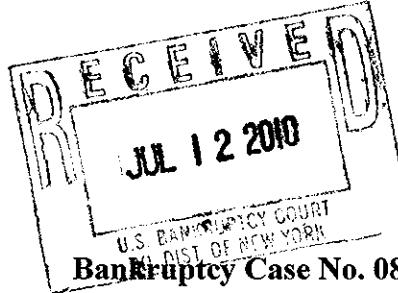
BERNARD L. MADOFF INVESTMENT
SECURITIES LLC,

Defendant.

In re:

BERNARD L. MADOFF,

Debtor.



SIPA Liquidation

(Substantively Consolidated)

**MEMORANDUM IN OPPOSITION TO TRUSTEE'S MOTION TO AFFIRM
TRUSTEE'S DETERMINATION DENYING CLAIMS OF CLAIMANTS
WITHOUT BLMIS ACCOUNTS IN THEIR NAMES,
NAMELY, INVESTORS IN FEEDER FUNDS**

Pursuant to the Court's Order dated April 13, 2010 (the "Order" [docket no. 2205]), [Raymo Dallavecchia Jr. IRA] hereby submits this Opposition to the Trustee's Motion For An Order to Affirm Trustee's Determinations Denying Claims of Claimants Without BLMIS Accounts In Their Names, Namely, Investors In Feeder Funds [docket no. 2416], and the memoranda filed by the Trustee and by SIPC in support of the same [docket nos. 2411 and 2414, respectively].

[Raymo Dallavecchia Jr. IRA] is an “Objecting Claimant” as defined in the Order. [Raymo Dallavecchia Jr. IRA] filed an objection to the Trustee’s denial of its claim on the basis that [Raymo Dallavecchia Jr. IRA] did not have an account at BLMIS (the “Objection” [docket no. 1302]). The Objection, along with its exhibits (including [Raymo Dallavecchia Jr. IRA] customer claim), is attached hereto as Exhibit 1. The Trustee’s determination that [Raymo Dallavecchia Jr. IRA] is not a “customer” under SIPC because it did not have an account in its name at BLMIS is wrong for the reasons set forth in [Raymo Dallavecchia Jr. IRA] Objection. In the interest of preserving judicial resources, [Raymo Dallavecchia Jr. IRA] hereby incorporates by reference as if fully restated herein the arguments set forth in the Objection as to why [Raymo Dallavecchia Jr. IRA] should be treated as a customer under SIPA. [Raymo Dallavecchia Jr. IRA] also hereby joins and incorporates by reference as if fully restated herein the arguments and authority cited in the objections and oppositions filed on behalf of all similarly situated Objecting Claimants as to why the Trustee’s determination on the customer issue is wrong.

Dated: July 12, 2010



Raymo Dallavecchia Jr. IRA

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From: Origin ID: DE0A (734)454-9552
Ray Dallevecchia
Poof-Slinky
45400 Helm Street
Plymouth, MI 48170

07/13/10 12:52:12

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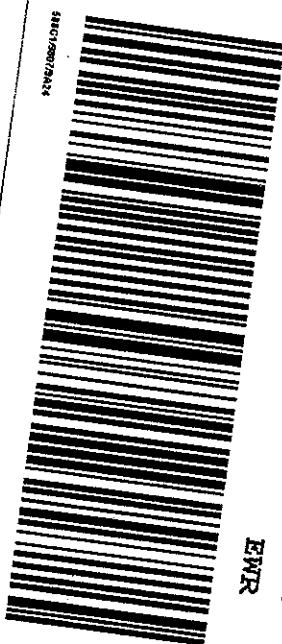
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